

III. CLAIM AMENDMENTS

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1. (Currently Amended) A method ~~to~~for selecting a bearer service for communication between a mobile terminal ~~(MT1)~~ and a mobile network ~~(NW1)~~, ~~in which~~the mobile terminal comprising an application execution environment for executing at least one application provided by a manufacturer of the mobile terminal or a third party manufacturer and the mobile network providing ~~method~~ at least one bearer service ~~is implemented in the mobile network~~ ~~(NW1)~~, characterised in that the method comprises ing at least the following ~~steps~~:

- ~~defining~~gathering a set of requirements for ~~the~~a bearer service to be selected for communication between the mobile terminal and the mobile network;
- ~~obtaining~~information about selectable bearer services selectable in the mobile network;
- ~~comparing~~performing a comparison between said set of requirements for ~~the~~a bearer service and said ~~obtained~~ information obtained about selectable bearer services selectable in the mobile network in order to determine whether any of said selectable bearer services substantially fulfils said set of requirements for a bearer service; and
- ~~if said comparison indicates that at least one of~~ making a decision to accept or reject at least one of said selectable bearer services substantially fulfils said set of requirements for a bearer service, selecting a selectable bearer service which substantially fulfils said set of requirements as a bearer service for communication based on ~~said comparison~~.

wherein said step of gathering a set of requirements for a bearer service is performed by the application execution environment in the mobile terminal, said application execution environment being activated to perform said step of gathering a set of requirements for a bearer by a service request to start an application, said step of gathering a set of requirements including gathering requirements for a bearer service from the application to be started via a logical interface provided for communication between applications and the application execution environment.

2.-11. (Cancelled)

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12. (Currently Amended) A method according to claim 1, ~~characterised in that the method further comprises~~ further the steps of:

- forming a bearer service request network message in the mobile terminal on the basis of said set of requirements for ~~the~~ a bearer service ~~to be selected for communication in the mobile terminal (MT1)~~;
- sending said bearer service request network message to the mobile network ~~(NW1)~~;
- forming a bearer service reply network message in the mobile network on the basis of said selectable bearer services and said bearer service request network message ~~in the mobile network (NW1)~~; and
- sending said bearer service reply network message to the mobile terminal ~~(MT1)~~.

13. (Currently Amended) A method according to claim 1, 76, characterised in that in the method wherein the renegotiation phase is carried out, which renegotiation phase comprises at least steps of:

- defining a new set of requirements for the bearer service to be selected for communication between in the mobile terminal (MT1) and the mobile network;
- forming a bearer service request network message in the mobile terminal on the basis of thesaid new set of requirements for the bearer service to be selected for communication;
- sending said bearer service request network message to the mobile network (NW1);
- forming a bearer service reply network message in the mobile network on the basis of said bearer service request network message and said obtained information about bearer services selectable in the mobile network (NW1), comprising a suggestion for a new bearer service to be used in communication between the mobile terminal and the mobile network;
- sending said bearer service reply network message to the mobile terminal (MT1); and

performing one of the following steps wherein a decision to accept or reject a bearer service for communication is made based on said comparison in the mobile terminal (MT1):

- either accepting the suggestion for a new bearer service, if said new bearer service substantially fulfils the new set of requirements for a bearer service, whereupon communication

between the mobile terminal (MT1) and the mobile network (NW1) is continued with said new bearer service,

- or rejecting the suggestion for a new bearer service, if said new bearer service does not substantially fulfil the new set of requirements for a bearer service, whereupon communication between the mobile terminal (MT1) and the mobile network (NW1) is terminated.

14. (Cancelled)

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15. (Currently Amended) A method according to claim 1_84, characterised in that in the method wherein said renegotiation phase is carried out for selecting a new bearer service performed when at least one conditions of the mobile network (NW1) have changed, which said renegotiation phase comprises at least the steps of:

- forming in the mobile network (NW1) a conditions--changed network message on the basis of the said at least one changed conditions, in which said conditions--changed network message comprising a suggestion for a new bearer service is suggested; ;
- sending said conditions--changed network message to the mobile terminal (MT1); ;
- examining said conditions--changed network message in the mobile terminal (MT1); ; and

wherein performing one of the following steps is performed in the mobile terminal (MT1):

- either accepting the suggestion for a new bearer service, if said new bearer service substantially fulfils said set of requirements for thea bearer service, whereinupon the communication between said mobile terminal (MT1) and said mobile network (NW1) in connection with execution of said application is continued with said new bearer service, or
- rejecting the suggestion for a new bearer service, if said new bearer service does not substantially fulfil said set of requirements for thea bearer service, whereinupon the communication between said mobile terminal (MT1) and said mobile network (NW1) in connection with execution of said application is stopped/terminated.

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16.-19. (Cancelled)

20. (Currently Amended) A method according to claim 1, characterised in that wherein the user of the mobile terminal (MT1) is informed of the selectable bearer services, wherein the user can perform the selection of thea bearer service.

21. (Withdrawn) A method to select a bearer service for communication between at least two mobile terminals (MT1, MT2), in which communication is established with a mobile network (NW1), characterised in that the method comprises at least the following steps:

- defining a set of requirements for the bearer service in the first mobile terminal (MT1),
- obtaining information about selectable bearer services in the

mobile network (NW1),

- comparing said set of requirements for the bearer service and said obtained information about bearer services selectable in the mobile network (NW1), and
- making a decision to accept or reject at least one of said selectable bearer services for communication between the first mobile terminal (MT1) and the mobile network (NW1) based on said comparison,

wherein, if at least one bearer service is accepted for communication between the first mobile terminal (MT1) and the mobile network (NW1), the following steps are performed:

- sending information about the accepted bearer service to the second mobile terminal (MT2),
- examining, if the accepted bearer service can be used in communication with the second mobile terminal (MT2) and the mobile network (NW1),

wherein, if a bearer service is accepted for communication between the second mobile terminal (MT2) and the mobile network (NW1), a communication is set up between the mobile terminals (MT1, MT2) and the mobile network (NW1), in which communication the accepted bearer service is used.

22. (Withdrawn) A method according to claim 21, characterised in, that if the bearer service accepted for communication between the first mobile terminal (MT1) and the mobile network (NW1) is not accepted for communication between the second mobile terminal (MT2) and the mobile network (NW 1), selection of a new bearer service is initiated by the first mobile terminal (MT1).

23. (Withdrawn) A method according to claim 21, characterised in, that if the bearer service accepted for communication between the first mobile terminal (MT1) and the mobile network (NW1) is not accepted for communication between the second mobile terminal (MT2) and the mobile network (NW1), the second mobile terminal (MT2) proposes another bearer service to be accepted for communication.

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24. (Withdrawn) A method according to claim 21, characterised in, that if the bearer service accepted for communication between the first mobile terminal (MT1) and the mobile network (NW1) is not accepted for communication between the second mobile terminal (MT2) and the mobile network (NW1), communication is terminated between the second mobile terminal (MT2) and the mobile network (NW1).

25. (Withdrawn) A method to select a bearer service for communication between at least two mobile terminals (MT1, MT2), in which method the first mobile terminal (MT1) is communicating with one mobile network (NW1), and the second mobile terminal (MT2) is communicating with a second mobile network (NW2), characterised in that the method comprises at least the following steps:

- selecting a bearer service for communication between the first mobile terminal (MT1) and the first mobile network (NW1),
 - examining, if the selected bearer service can be used in communication between the second mobile terminal (MT2) and said second mobile network (NW2),
- sending a reply to the first mobile terminal (MT1) based on the result of the examination,

wherein, if the selected bearer service is accepted for communication between the second mobile terminal (MT2) and the second mobile network (NW2), a communication is set up between the mobile terminals (MT 1, MT2) and said mobile networks (NW 1, NW2).

26. (Withdrawn) A communication system which comprises at least a mobile terminal (MT1), a mobile network (NW1), at least one bearer service implemented in the mobile network (NW1), and means (4,11,201, 403, 405) for selecting a bearer service for communication between said mobile terminal (MT1) and said mobile network (NW 1), characterised in that the system further comprises:

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- means (CPU, MEM) for defining a set of requirements for the bearer service,
- means (CPU, MEM) for obtaining information about selectable bearer services,
- means (4, 11) for comparing said set of requirements for the bearer service and said obtained information about selectable bearer services, and
- means (4, MT1) for making a decision to accept or reject at least one of said selectable bearer services for communication based on said comparison.

27. (Withdrawn) A communication system according to claim 26, in which system the mobile terminal (MT1) comprises means (CPU, MEM) for executing an application, characterised in that means (CPU, MEM) for defining a set of requirements for the bearer service comprises means (401) for defining said set of requirements for the bearer service at least on the basis of properties of said

application.

28. (Withdrawn) A communication system according to claim 26, characterised in that means (CPU, MEM) for defining a set of requirements for the bearer service comprises means (402, 403) for defining said set of requirements for the bearer service at least on the basis of properties of the mobile terminal (MT1).

29. (Withdrawn) A communication system according to claim 26, in which the mobile terminal (MT1) comprises means (CPU, MEM) for executing an application, characterised in that the system comprises means (404, 405) for defining the bearer service at least on the basis of user preferences.

30. (Withdrawn) A communication system according to claim 26, characterised in that the mobile network (NW1) comprises means for storing user subscription information, wherein the system comprises means (404, 405) for defining the bearer service at least on the basis of said user subscription information,

31. (Withdrawn) A communication system according to claim 26, characterised in that traffic capacity of the mobile network (NW1) is limited, wherein the means (CPU, MEM) for defining a set of requirements for the bearer service comprises means (1, 4, 5) for defining said set of requirements for the bearer service at least on the basis of traffic situation of the mobile network (NW1).

32. (Withdrawn) A communication system according to claim 26, characterised in that the mobile network (NW1) comprises means for storing user subscription information, wherein the system

comprises means (404, 405) for accepting or rejecting the bearer service at least on the basis of said user subscription information.

33. (Withdrawn) A communication system according to claim 26, characterised in that traffic capacity of the mobile network (NW1) is limited, wherein the means (CPU, MEM) for accepting or rejecting a set of requirements for the bearer service comprises means (1, 4, 5) for defining said set of requirements for the bearer service at least on the basis of traffic situation of the mobile network (NW 1).

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34. (Withdrawn) A communication system according to claim 26, characterised in that said means (4, 11) for comparing said set of requirements for the bearer service and said obtained information about selectable bearer services are formed in the mobile network (NW1).

35. (Withdrawn) A communication system according to claim 26, characterised in that said means (4, 11) for comparing said set of requirements for the bearer service and said obtained information about selectable bearer services are formed in the mobile terminal (MT1).

36. (Withdrawn) A communication system according to claim 26, characterised in that there is at least one quality of service class defined in the mobile network (NW1), that for at least one quality of service class there is defined at least one bearer service, and that for an application to be executed a preferred quality of service class is defined.

37. (Withdrawn) A communication system according to claim 26, characterised in that the mobile terminal (MT1) comprises:

- means (CPU) for forming a bearer service request network message on the basis of said set of requirements for the bearer service,
- means (RF) for sending said bearer service request network message to the mobile network (NW1),

and that the mobile network (NW1) comprises:

- means (4) for forming a bearer service reply network message on the basis of said selectable bearer services and said bearer service request network message, and
- means (2, 3) for sending said bearer service reply network message to the mobile terminal (MT1).

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38. (Withdrawn) A communication system according to claim 26, characterised in that it comprises means for renegotiating a bearer

service, wherein the mobile terminal (MT1) comprises:

- means (CPU) for defining a new set of requirements for the bearer service,
- means (CPU) for forming a bearer service request network message on the basis of the new set of requirements for the bearer service, and
- means (RF) for sending said bearer service request network message to the mobile network (NW1),

and that the mobile network (NW1) comprises:

- means for forming a bearer service reply network message on the basis of said bearer service request network message, and
- means for sending said bearer service reply network message to the mobile terminal (MT1).
- wherein the mobile terminal (MT1) further comprises means (4) for making a decision to accept or reject at least one of said selectable bearer services for communication based on said comparison,

39. (Withdrawn) A communication system according to claim 26, characterised in that it comprises means for renegotiating a bearer service, when conditions of the mobile network (NW1) have changed, wherein the mobile network (NW 1) further comprises:

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- means for forming a conditions changed network message on the basis of the changed conditions, in which network message a new bearer service is suggested, and
- means for sending said conditions changed network message to the mobile terminal (MT1),

and the mobile terminal (MT1) further comprises:

- means for examining said conditions changed network message,
- means for accepting the change of the bearer service, if said new bearer service fulfils said set of requirements for a bearer service, wherein the communication between said mobile terminal (MT1) and said mobile network (NW1) in connection with execution of said application is continued with said new bearer service, and
- means for rejecting the change of the bearer service, if said new bearer service does not fulfil said set of requirements for a bearer service, wherein the communication between said

mobile terminal (MT1) and said mobile network (NW1) in connection with execution of said application is stopped.

40. (Withdrawn) A communication system according to claim 26, characterised in that the mobile terminal (MT1) comprises an execution environment and a bearer service selection application programming interface (401), and that said selection application programming interface is used in communication between at least one application and said execution environment,

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41. (Withdrawn) A communication system according to claim 26, characterised in that the mobile terminal (MT1) comprises means for informing the user of the selectable bearer services, and means for selecting the bearer service by the user.

42. (Currently Amended) A mobile terminal (MT1) for use in a communication system which comprisesing at least a mobile network (NW1), having at least one bearer service, implemented in the mobile network (NW1), and means (4, 11, 201, 403, 405) for selecting a bearer service for communication between said mobile terminal (MT1) and said mobile network (NW1) the mobile terminal comprising an application execution environment for executing at least one application provided by a manufacturer of the mobile terminal or a third party manufacturer, —characterised in thatwherein the mobile terminal (MT1) further comprises means (CPU, MEM) for defining a set of requirements for the bearer services said application execution environment is arranged to gather a set of requirements for a bearer service to be selected for communication between the mobile terminal and the mobile network responsive to a service request to start an application, and is further arranged to gather requirements for a

bearer service from the application to be started via a logical interface provided for communication between applications and the application execution environment.

43.-50. (Cancelled)

51. (New) A method according to claim 1, wherein the application to be started provides the execution environment with information about its bearer service requirements via said logical interface in a formatted data packet.

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52. (New) A method according to claim 1, wherein the application execution environment further gathers information about bearer service requirements from the mobile terminal via an interface between the application execution environment and an information store comprising information about properties of the mobile terminal.

53. (New) A method according to claim 1, wherein the application execution environment further gathers information about bearer service requirements of the mobile terminal from the mobile network.

54. (New) A method according to claim 1, wherein the application execution environment further gathers information about bearer service requirements via an interface between the application

execution environment and an information store comprising information about user preferences.

55. (New) A method according to claim 1, wherein the application execution environment further gathers information about bearer service requirements from a user of the mobile terminal via a user interface of the mobile terminal.

56. (New) A method according to claim 1, wherein the application execution environment further gathers user subscription information from the mobile network.

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57. (New) A method according to claim 1, wherein the application execution environment prioritises said set of requirements for a bearer service.

58. (New) A method according to claim 1, wherein the application execution environment resolves contradictory requirements in said set of requirements for a bearer service.

59. (New) A method according to claim 1, wherein said comparison to determine whether any of said selectable bearer services substantially fulfils said set of requirements for a bearer service is performed in the mobile network.

60. (New) A method according to claim 1, wherein said comparison to determine whether any of said selectable bearer services substantially fulfils said set of requirements for a bearer service is performed in the mobile terminal.

61. (New) A method according to claim 59, wherein the subscription information of the user is examined in connection with performing said comparison.

62. (New) A method according to claim 60, wherein the subscription information of the user is examined in connection with performing said comparison.

63. (New) A method according to claim 59, wherein the traffic condition of the mobile network is examined in connection with performing said comparison.

64. (New) A method according to claim 60, wherein the traffic condition of the mobile network is examined in connection with performing said comparison.

65. (New) A method according to claim 59, wherein a capability of a remote network is examined in connection with performing said comparison.

66. (New) A method according to claim 60, wherein a capability of a remote network is examined in connection with performing said comparison.

67. (New) A method according to claim 12, wherein the application execution environment forms said bearer service request network message.

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68. (New) A method according to claim 12, wherein the application execution environment receives and processes said bearer service reply network message.

69. (New) A method according to claim 12, wherein said bearer service reply network message comprises a suggestion for a bearer service to be selected for communication.

70. (New) A method according to claim 12, wherein the application execution environment informs an application about a bearer service granted for the application.

71. (New) A method according to claim 70, wherein the application execution environment provides the application with information about the granted bearer service in a formatted data packet.

72. (New) A method according to claim 1, wherein at least one quality of service class is defined in the mobile network and at least one bearer service is defined for said at least one quality of service class.

73. (New) A method according to claim 72, wherein a preferred quality of service class is defined for an application.

74. (New) A method according to claim 73, wherein information about said preferred quality of service class defined for said application is included in said set of requirements for a bearer service and is sent to the mobile network in said bearer service request network message.

75. (New) A method according to claim 1, wherein a renegotiation phase is performed in order to select a new bearer service for communication between the mobile terminal and the mobile network.

76. (New) A method according to claim 75, wherein said renegotiation phase is initiated by one of the following: an application running in the mobile terminal; a user of the mobile terminal.

77. (New) A method according to claim 76, wherein said renegotiation phase is performed when at least one bearer service requirement of the application has changed.

78. (New) A method according to claim 13, wherein the application execution environment defines said new set of requirements for a bearer service.

79. (New) A method according to claim 13, wherein the application execution environment forms said bearer service request network message.

80. (New) A method according to claim 13, wherein the application execution environment provides the application with information about the new bearer service.

81. (New) A method according to claim 80, wherein the application execution environment provides the application with information about the new bearer service in a formatted data packet.

82. (New) A method according to claim 13, wherein the application performs said steps of accepting or rejecting the new bearer service.

83. (New) A method according to claim 75, wherein said renegotiation phase is performed when at least one property of the mobile terminal has changed.

84. (New) A method according to claim 75, wherein said renegotiation phase is initiated by the mobile network.

85. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to receive information about bearer service requirements of said application to be started via said logical interface.

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86. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to communicate information about a selected bearer service to said application to be started via said logical interface.

87. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to receive information about a change in a property of said application via said interface.

88. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to communicate information about a change in a bearer service to said application via said interface.

89. (New) A mobile terminal according to claim 42, comprising an interface for communicating information about at least one property of the mobile terminal to said application execution environment.

90. (New) A mobile terminal according to claim 89, wherein the application execution environment is arranged to receive via said interface information about said at least one property of the mobile terminal from an information store in the mobile terminal comprising information about properties of the mobile terminal.

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91. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to receive information about a property of the mobile terminal from the mobile network.

92. (New) A mobile terminal according to claim 42, comprising an interface for communicating information about at least one user preference to said application execution environment.

93. (New) A mobile terminal according to claim 92, wherein the application execution environment is arranged to receive via said interface information about said preference of a user from an information store comprising information about user preferences.

94. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to receive information about a preference of a user as input from the user via a user interface of the mobile terminal.

95. (New) A mobile terminal according to claim 42, comprising a user interface for informing a user of selectable bearer services.

96. (New) A mobile terminal according to claim 42, comprising a user interface for enabling a user to select a bearer service.

97. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to receive user subscription information from the mobile network.

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98. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to prioritise said set of requirements for a bearer service.

99. (New) A mobile terminal according to claim 42, wherein the application execution environment is arranged to resolve contradictory requirements in said set of requirements for a bearer service.

100. (New) A mobile terminal according to claim 42, comprising:

- means for forming a bearer service request network message on the basis of said set of requirements for a bearer service;
- means for sending said bearer service request network message to the mobile network; and

- means for receiving a bearer service reply network message from the mobile network.

101. (New) A mobile terminal according to claim 100, wherein the application execution environment is arranged to form said bearer service request network message.

102. (New) A mobile terminal according to claim 100, wherein the application execution environment is arranged to receive and process said bearer service reply network message.

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103. (New) A mobile terminal according to claim 42, comprising means for obtaining information about bearer services selectable in the mobile network and means for comparing said set of requirements for a bearer service and said information obtained about bearer services selectable in the mobile network.

104. (New) A mobile terminal according to claim 42, comprising:

- means for defining a new set of requirements for a bearer service to be selected for communication between the mobile terminal and the mobile network;
- means for forming a bearer service request network message on the basis of the new set of requirements for a bearer service;
- means for sending said bearer service request network message to the mobile network;

- means for receiving a bearer service reply network message from the mobile network;
- means for accepting a change in bearer service, if said new bearer service substantially fulfills said set of requirements for a bearer service; and
- means for rejecting a change in bearer service, if said new bearer service does not substantially fulfil said set of requirements for a bearer service.

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105. (New) A mobile terminal according to claim 104, wherein the application execution environment is arranged to define said new set of requirements for a bearer service.

106. (New) A mobile terminal according to claim 104, wherein the application execution environment is arranged to form said bearer service request network message.

107. (New) A mobile terminal according to claim 104, wherein the application execution environment is arranged to provide the application with information about the new bearer service.

108. (New) A mobile terminal according to claim 107, wherein the application execution environment is arranged to provide the application with information about the new bearer service in a formatted packet.